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REJECTION OVER A "PRIOR" PATENTDocket Number (Optional)
382.1029DIV2

In re Application of: SHINOZAKI, et al.

Application No. 10/668,627

Filed: September 23, 2003

For: ENVIRONMENTAL STRESS-TOLERANT PLANTS

The co-owner*, Incorporated Administrative Agency, National Agriculture and Bio-Oriented Research Organization, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 7,045,355 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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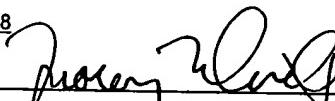
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2. The undersigned is an attorney of record. Reg. No. 36,968



January 17, 2006

Signature

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